

REMARKS

By this Amendment claims 27 has been amended to include the subject matter of claims 29 and 34 (now canceled), claims 28 and 30-33 have been improved, claim 35 has been amended to include the subject matter of claim 36 (now canceled), and claim 40 has been clarified. Entry is requested.

The inventors submit herewith (1) a substitute Declaration, (2) formal drawings, and (3) a supplemental page 31 for the application containing an abstract of the disclosure.

In the outstanding Office Action the examiner rejected claims 27-40 under 35 U.S.C. 112.

By this Amendment the claims have been amended to address and overcome the examiner's criticisms.

The examiner has rejected claims 27-40 under 35 U.S.C. 102(e) as being anticipated by Ogura et al.

This rejection must be withdrawn. Ogura discloses arteriostenosis inspecting apparatus and ankle blood pressure measuring apparatus; however, there is no disclosure of a first or second plethysmographic devices, it does not use a two finger cuff, it uses only the well-known upper arm blood pressure determining device according to the well-known oscillometric algorithm (see column 10, lines 7-21), and the reference pressure chamber is not controlled by a plethysmographic signal and pre-selectable pressure function.

The examiner's prior art rejection should be withdrawn.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:



Richard H. Tushin

Registration No. 27,297

Franklin Square, Third Floor West
1300 I Street, N.W.

Washington, DC 20005-3353
(202) 906-8680